IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 17TH JULY 2007 / 26TH ASHADHA 1929

WA.No. 965 of 2001(B)

AGAINST THE JUDGEMENT IN OP.31878/1999

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APPELLANTS:

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1. Kerala State Road Transport Corporation, represented by its Managing Director, transport Bhavan, Fort P.O.,Trivandrum.

2. The Assistant Transport Officer, Kerala State Road Transport Corporation, North Paravur.

BY ADV. SC. KSRTC SRI.JOHNSON P. JOHN

RESPONDENTS:

1.E.K.Sugathan, S/o. Kunjiraman, Erezhath House, Kothuvallikkadu P.O.,Vadakkekara,Ernakulam District.

2.U.Rajappan, S/o. Ayyappankutty, Padiyath Padmavilas, Nandiyattukunnam, North Oarur P.O., Ernakulam District.

3.K.Sreedhara Panicker, S/o. Keralan, Thazhathu Veedu, Mannam P.O., North Paravur, Ernakulam District.

4.T.C.Sukumaran, S/o. Chari, Thaikkoottathil House, Thuyathare, Paravuthara, Parur P.O.,Ernakulam District.

BY ADV. SRI.S.SUGATHAN

SRI.V.A.PRADEEP KUMAR

1. THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 17/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.965 of 2001
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Dated this the 17th day of July, 2007.

JUDGMENT

Radhakrishnan,J.

Writ Appeal is preferred against the judgment in O.P.No.31878 of 1999, which was disposed of by a learned single Judge placing reliance on the judgment of the Division Bench in W.A.No.124 of 1998. That appeal was disposed of along with a batch of cases on 24th March, 2004. The judgment is reported in **K.S.R.T.C.** v. **Varghese** – 2004(3) K.L.T. 542. The above judgment was appealed against before the Supreme Court by the K.S.R.T.C. and the appeal was allowed by the Supreme Court and set aside the judgment of the Division Bench. Judgment is reported in **Chairman & M.D., K.S.R.T.C.** v. **K.O.Varghese and others** – 2007(3) KHC 80.

In the circumstances, this appeal is allowed and the judgment of the learned single Judge is set aside.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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